

MESSAGE NO: 9114203 MESSAGE DATE: 04/24/2009

MESSAGE STATUS: Active CATEGORY: Antidumping  
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐  
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE 9065203  
MESSAGE #  
(s):

CASE #(s): A-427-818

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 02/01/2008 TO 01/31/2009

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: AUTOMATIC LIQUIDATION INSTRUCTIONS FOR LOW ENRICHED URANIUM FROM FRANCE FOR ALL FIRMS EXCEPT EURODIF S.A./AREVA NC (A-427-818)

MESSAGE NO: 9114203

DATE: 04 24 2009

CATEGORY: ADA

TYPE: LIQ

REFERENCE: 9065203

REFERENCE DATE: 03 06 2009

CASES: A - 427 - 818

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PERIOD COVERED: 02 01 2008 TO 01 31 2009

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS  
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: AUTOMATIC LIQUIDATION INSTRUCTIONS FOR LOW  
ENRICHED URANIUM FROM FRANCE FOR ALL FIRMS  
EXCEPT EURODIF S.A./AREVA NC (A-427-818)

1. COMMERCE DOES NOT AUTOMATICALLY CONDUCT ADMINISTRATIVE REVIEWS OF ANTIDUMPING DUTY ORDERS. INSTEAD, REVIEWS MUST BE REQUESTED PURSUANT TO SECTION 751(a)(1) OF THE TARIFF ACT OF 1930, AS AMENDED, AND IN ACCORDANCE WITH SECTION 351.213 OF COMMERCE'S REGULATIONS.

2. COMMERCE HAS NOT RECEIVED A REQUEST FOR AN ADMINISTRATIVE REVIEW OF THE ANTIDUMPING DUTY ORDER FOR THE PERIOD AND ON THE MERCHANDISE LISTED BELOW, EXCEPT FOR THE FIRM NOTED.

THEREFORE, IN ACCORDANCE WITH SECTION 351.212(c) OF COMMERCE'S REGULATIONS, YOU ARE TO ASSESS ANTIDUMPING DUTIES ON MERCHANISE ENTERED OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION AT THE CASH DEPOSIT OR BONDING RATE IN EFFECT ON THE DATE OF ENTRY.

PRODUCT: LOW ENRICHED URANIUM

COUNTRY: FRANCE

CASE NUMBER: A-427-818

PERIOD: 02/01/2008 THROUGH 01/31/2009

LIQUIDATE ALL ENTRIES FOR ALL FIRMS EXCEPT:

EURODIF S.A./AREVA NC (FORMERLY KNOWN AS COMPAGNIE GENERALE DES MATIERES NUCLEAIRES (COGEMA))

3. NOTE THAT FOR THE PURPOSES OF THIS MESSAGE, THE EXCLUDED FIRM IN PARAGRAPH 2 ABOVE SHOULD UNTIL FURTHER NOTICE BE CONSIDERED TO ENCOMPASS THE FOLLOWING NAME COMBINATIONS:

EURODIF S.A./AREVA NC (FORMERLY COGEMA)

EURODIF S.A.

AREVA NC (FORMERLY COMPAGNIE GENERALE DES MATIERES  
NUCLEAIRES S.A.)

EURODIF/AREVA

COGEMA/EURODIF S.A.

AREVA/EURODIF S.A.

COGEMA

4. THERE ARE FOUR INJUNCTION MESSAGES THAT AFFECT ENTRIES OF LOW ENRICHED URANIUM MANUFACTURED OR EXPORTED BY EURODIF S.A./ AREVA NC (FORMERLY COGEMA). THE RELEVANT MESSAGE NUMBERS ARE AS FOLLOWS:

MESSAGE NUMBER 3168201, DATED 06/17/2003, COVERING ENTRIES MADE DURING THE PERIOD (A) 07/13/2001 THROUGH 01/08/2002 OR (B) ON AND AFTER 02/13/2002;

MESSAGE NUMBER 9084203, DATED 03/25/2009, IN CONNECTION WITH COURT CASE NUMBER 04-00426, COVERING ENTRIES MADE DURING THE PERIOD (A) ON OR AFTER 07/13/2001 THROUGH 01/08/2002 OR (B) ON OR AFTER 02/13/2002 THROUGH 01/31/2003;

MESSAGE NUMBER 6027214, DATED 01/27/2006, IN CONNECTION WITH COURT CASE NUMBER 05-00564, COVERING ENTRIES MADE DURING THE PERIOD 02/01/2003 THROUGH 01/31/2004; AND

MESSAGE NUMBER 9065203, DATED 03/06/2009, IN CONNECTION WITH COURT CASE NUMBER 06-00326, COVERING ENTRIES MADE DURING THE PERIOD 02/01/2004 THROUGH 01/31/2005.

ACCORDINGLY, UNTIL FURTHER NOTICE, CONTINUE TO SUSPEND LIQUIDATION OF THESE ENTRIES UNTIL LIQUIDATION INSTRUCTIONS ARE PROVIDED FOR EACH OF THESE PERIODS. UNTIL FURTHER NOTICE THE ENJOINING OF LIQUIDATION REFERENCED IN THIS PARAGRAPH SHOULD BE CONSIDERED TO APPLY TO ALL OF THE NAME COMBINATIONS REFERENCED IN PARAGRAPH 3 ABOVE.

5. ENTRIES OF MERCHANDISE OF EXCEPTED FIRMS SHOULD NOT BE LIQUIDATED UNTIL YOU RECEIVE SPECIFIC INSTRUCTIONS AFTER THE COMPLETION OF THE ANTIDUMPING DUTY ADMINISTRATIVE REVIEWS. CONTINUE TO SUSPEND LIQUIDATION OF ALL ENTRIES OF MERCHANDISE EXPORTED OR PRODUCED BY THE LISTED FIRM AND ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THIS PERIOD.

6. NOTICE OF LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF SUBJECT MERCHANDISE DURING THE PERIOD 02/01/2008 THROUGH 01/31/2009 OCCURRED WITH THE PUBLICATION OF THE NOTICE OF INITIATION OF ADMINISTRATIVE REVIEW FOR THE 02/2009 ANNIVERSARY MONTH (74 FR 12310, 03/24/2009). FOR ALL OTHER SHIPMENTS OF LOW ENRICHED URANIUM FROM FRANCE YOU SHALL, UNLESS OTHERWISE INSTRUCTED, CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

7. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CBP ON SHIPMENTS OR

ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS, OR ASSESS INTEREST ON UNDERPAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

8. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CBP SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN SECTION 351.402(f)(2) OF COMMERCE'S REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION OF THE ENTRY. IF THE IMPORTER CERTIFIES THAT IT HAS AN AGREEMENT WITH THE MANUFACTURER, PRODUCER, SELLER, OR EXPORTER, TO BE REIMBURSED ANTIDUMPING DUTIES, CBP SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER DOES NOT PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CBP SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE. THE CORRESPONDING COUNTERVAILING DUTY ORDER ON LOW ENRICHED URANIUM FROM FRANCE (C-427-819) WAS REVOKED EFFECTIVE 05/14/2001, SEE MESSAGE NUMBER 7165202, DATED 06/14/2007.

9. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT THE OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY O6:JA).

10. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CHRISTINE FURGASON

## Company Details

\*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party